N.Y. TIMES
, SATURDAY, MAY 20, 1967 apparently Mafia behind Cuba outfit in Miami and elsewhere

Affidavit Tells of Secret Mafia Parley on Costello

By JACK ROTH

Soon after an attempt was made to assassinate Frank Costello, a gangland meeting was held in Apalachin, N. Y., apparently to decide how to divide his gambling empire, District Attorney Frank S. Hogan's office disclosed yesterday.

The previous unreported meeting took place in 1956, a year before the notorious Nov. 14, 1957, meeting in Apalachin attended by at least 62 Mafia figures.

The disclosure of the earlier meeting was made in an affidavit, made public yesterday, that was filed in connection with an effort by the prosecutor's office to have Santo Tafficante, a gambler, held in contempt of court for refusing to answer questions that might shed light on the murder of Albert Anastasia in 1957.

Trafficante is one of 13 reputed Mafia leaders under investigation in Queens. He and five others have testified before a Queens grand jury. A sixth is to testify Monday. The remaining seven are being prosecuted on criminal-contempt charges for refusing to testify.

It could not be ascertained how many gangland figures attended the first meeting, which was held in the home of Joseph Barbara, the same site as the 1957 meeting. But the gangland convention was described as being similar to the later Mafia meeting.

Vincent (The Chin) Gigante, an ex-convict, was tried for the attempted murder of Costello, but was acquitted.

Anastasia at Parley

"It is significant to note," Chief Assistant District Attorney Alfred J. Scotti wrote in the affidavit, "that shortly after the attempted murder of Frank Costello in 1956, a similar meeting [similar to the 1957 convention] took place at the home of Joseph Barbara. According to the testimony before the grand jury, this meeting was attended by the witness Santo Trafficante and Albert Anastasia."

Mr. Scotti said that the relationship between that meeting and the attempt on Costello's life was "quite apparent."

Mr. Hogan's office declined to elaborate on this statement, other than to indicate that the meeting was held to redistribute Costello's illegal enterprises among other Mafia members The meeting was reportedly held a week or two after the attempt on Costello's life.

Mr. Scotti said that as a result of the two Mafia meetings "a reorganization of underworld interests was brought about."

Trafficante has been a witness before the grand jury on April 14, 18, 25, 26 and May 4. On his first grand jury appearance he was granted immunity from prosecution.

However, the affidavit states, Trafficante has balked at answering a number of questions relating to his business interests and to his associations with various gamblers.

"In order to obtain an insight into the nature of the conflicting (gangland) interests, which, I have been informed, provided the motivation for the murder of Albert Anastasia, it become material and necessary to ascertain the nature of the activities of the witness Santo Trafficante and those of his associate over the years," Mr. Scotti said.

He added: "Trafficante's truthful answers to questions concerning his activities as well as those of his associates might lead to the disclosure of facts that might enable this grand jury to establish the identities of the perpetrators of the murder of Anastasia."

The affidavit charges that Trafficante, in refusing to answer questions, had hampered the inquiry into the killing of Anastasia, a gangland chieftain, in the barber shop of the Park Sheraton Hotel.

The affidavit states that a week before Anastasia's killing on Oct. 25, 1957, Trafficante arranged to bring a number of Cubans to New York to meet with Anastasia in an effort to obtain gambling interests in Cuba for both of them.

The night before Anastasia was killed, Trafficante and Anastasia had dinner together, according to the affidavit. It noted that Trafficante left New York on the day of the killing.

Trafficante, who is a reputed Mafia leader in Florida, is not a target of the investigation, since targets of investigation are not granted immunity.

The subpoena served on Trafficante in connection with the affidavit calls upon him to show on Tuesday at 2:30 P.M. in Manhattan Supreme Clurt, why he should not be held in contempt.

Aides in Mr. Hogan's office said that reports that a break was imminent in the Anastasia case were not true.